

EXHIBIT G

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MONITA SHARMA and ERIC)	
ANDERSON, on behalf of)	
themselves and all others)	
similarly situated,)	
)	
Plaintiffs,)	CASE NO.
)	3:13-cv-02274-MMC
vs.)	
)	
BMW OF NORTH AMERICA, LLC., a)	
Delaware Limited Liability)	
Company,)	
)	
Defendants.)	
_____)	

DEPOSITION OF JOHNNY THOMAS

Tuesday, July 21, 2015

9:54 a.m. - 4:44 p.m.

401 Watt Avenue
Sacramento, California

REPORTED BY:
Shari Bolton
CSR No. 9291

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1 felt that they were withholding something. I would
2 like to think they weren't. I didn't get that
3 impression.

4 BY MR. STARR:

5 Q Would they ever provide you with any
6 documentation?

7 A What do you mean by documentation?

8 Q Like if you needed like a build spec for like
9 a part, for example, like an engineer spec for a part,
10 anything like that, did they ever give you any
11 blueprint documentation? For example, I know with the
12 MINI Cooper water pump, at some point that pump
13 changed from a synthetic pump to a cast pump. Like
14 would you ever have them provide you with information
15 regarding the way a part is supposed to look, the way
16 it's supposed to be built, anything like that?

17 A No.

18 Q Do you know if they ever provided you with
19 any documents regarding any type of part?

20 A I'm sure they did, but I don't remember. I
21 don't remember any specific document.

22 Q But you're sure --

23 A I'm sure they gave me something, but I don't
24 know what specifically.

25 MR. CARR: So I'm just going to object; lacks

1 THE WITNESS: I don't know if they were
2 working on warranty claims.

3 BY MR. STARR:

4 Q Well, how did you know who to call?

5 A There was a list and it says "For this part,
6 call this person."

7 Q It was, obviously, Germany, correct?

8 A Uh-huh.

9 Q Yes?

10 A Yes.

11 Q Did you know what entity the people you would
12 call worked for?

13 A Entity?

14 Q Yes. Was it BMW AG?

15 A Yes, they were BMW AG employees. I don't
16 know if they were BMW AG employees, but they worked
17 for BMW.

18 Q They worked for BMW AG?

19 A I don't know that. You know what I'm saying?
20 I don't know if they were contract workers, I don't
21 know.

22 Q But the number you were calling was a BMW AG
23 number?

24 A Yes.

25 Q Did they ever call you to ask you questions?

1 be in direct relation to their work or what they did.
2 Specifics, I don't know.

3 BY MR. STARR:

4 Q Did you ever receive any training with regard
5 to your ability to call them?

6 A No.

7 Q How did you know that you could call them?

8 A Because I had a spreadsheet that said "For
9 this component, call this person; these are your
10 counter parts in Germany."

11 Q Did you have any access to any of the data
12 from Germany with regard to their failures?

13 MR. CARR: Form, foundation, vague and
14 ambiguous, "failures."

15 BY MR. STARR:

16 Q Well, you know, with regard to their warranty
17 claims?

18 A With regard to their warranty claims, no.

19 Q Did you ever provide or do you know if BMW
20 North America ever provided BMW AG with information
21 regarding BMW NA's warranty claims?

22 MR. CARR: Objection; form, foundation, calls
23 for speculation, lacks personal knowledge, lacks
24 foundation.

25 THE WITNESS: I didn't work directly with

1 me, you know, any information. Like if I ask for
2 customer's information, they are not required to give
3 it to me, you know.

4 BY MR. STARR:

5 Q Right. But what I'm trying to find out is
6 when you testified that BMW AG -- you've testified
7 that they have given you information; you remember
8 that, right?

9 A Yes.

10 Q You've testified that you've never gotten the
11 sense that they were unwilling to give you
12 information. Do you remember testifying to that?

13 A I remember testifying that they were -- you
14 know, I could talk to them. If I was able to reach
15 them, I could talk to them any time.

16 Q Right.

17 A So in that regard, I could pick up the phone;
18 if they answered the phone, you know, everything was
19 real cordial. But if I requested something and didn't
20 get it, there was no recourse. I didn't have any
21 recourse.

22 Q Have you ever tried to do anything in order
23 to force them to give you something?

24 A I didn't find it necessary.

25 Q So then how do you know that there's no

1 STATE OF CALIFORNIA)
2)
3 COUNTY OF SACRAMENTO)

4 I, Shari Bolton, a Certified Shorthand
5 Reporter in and for the State of California, do hereby
6 certify:


7 That prior to being examined, the witness in
8 the foregoing proceedings was by me duly sworn to
9 testify to the truth, the whole truth, and nothing but
10 the truth;

11 That said proceedings were taken before me at
12 the time and place therein set forth and were taken
13 down by me in shorthand and thereafter transcribed
14 into typewriting under my direction and supervision;

15 I further certify that I am neither counsel
16 for, nor related to, any party to said proceedings,
17 nor in any way interested in the outcome thereof.

18 In witness whereof, I have hereunto
19 subscribed my name.

20
21 Dated: July 31, 2015

22
23 
24 Shari Bolton, CSR No. 9291

